

Staffing Study
Hampton Roads Regional Jail
November, 2017

INTRODUCTION

The Hampton Roads Regional Jail, located at 2690 Elmhurst lane Portsmouth, Virginia, serves the Cities of Hampton, Newport News, Portsmouth, Norfolk and Chesapeake. The current Superintendent is Ronaldo D. Myers who is also the President Elect of the American Jail Association. He began his tenure at the jail in March, 2017 after a nationwide recruiting effort. He has over 37 years of experience administering jails, along with significant military experience as well (having served over 30 years active and reserve duty combined). The jail is unique in that all the member jurisdictions still operate their own jails. The member jails send those inmates with the most serious mental health and medical issues, along with disciplinary problems to the Hampton Roads Regional Jail. As a result, the Hampton Roads Regional Jail houses one of the largest populations of the mentally ill and the physically ill in the Commonwealth. All of the five regional jail members started sending most of their women to the HRRJ too, as of approximately 2014. In recent months, the HRRJ had over 23 pregnant females in custody; the number of pregnant females fluctuates at any given time from 11-25. As of November 2, 2017, HRRJ had 6 women over 30 weeks pregnant. After the Prison Rape Elimination Act went into effect in 2014, all five jails started sending their certified juveniles to the HRRJ as well, to avoid violating the Prison Rape Elimination Act (PREA) which requires an adult facility separate a juvenile from adult inmates by sight and sound. Unfortunately, the HRRJ is not PREA compliant either – the design and large inmate population of the HRRJ prevents it from being so. As of November 2, 2017, 10 juveniles are housed at HRRJ – the number of juveniles housed at HRRJ fluctuates between 6 and 15. In sum, the management needs of the HRRJ inmate population is varied and complex – as varied and complex as the state prison system. HRRJ must house inmates with many varying special needs, under one roof and one design.

PHYSICAL PLANT

The jail was constructed and opened in 1998, and is a double level, podular facility. It is not a direct supervision facility, nor does it have therapeutic attributes. It is not well suited to the current inmate population which includes a large number of acutely ill individuals. It contains sixteen pods,

each of which has an additional mezzanine level. It has a Department of Corrections rated capacity of 798 beds.

FINDINGS

Most jails have three basic levels of classification that includes Minimum, Medium and Maximum Custody. The design standards for the construction of jails in Virginia mandate levels of 40% minimum, 40% medium and 20% maximum. However due to the unique population of the Hampton Roads Regional Jail the maximum security classification is far higher than the normal 20%. Many of those that are not in the maximum level require close supervision due to their serious medical and mental health issues. Inmate movement within the facility will often require two officers.

ACUITY OF INMATES

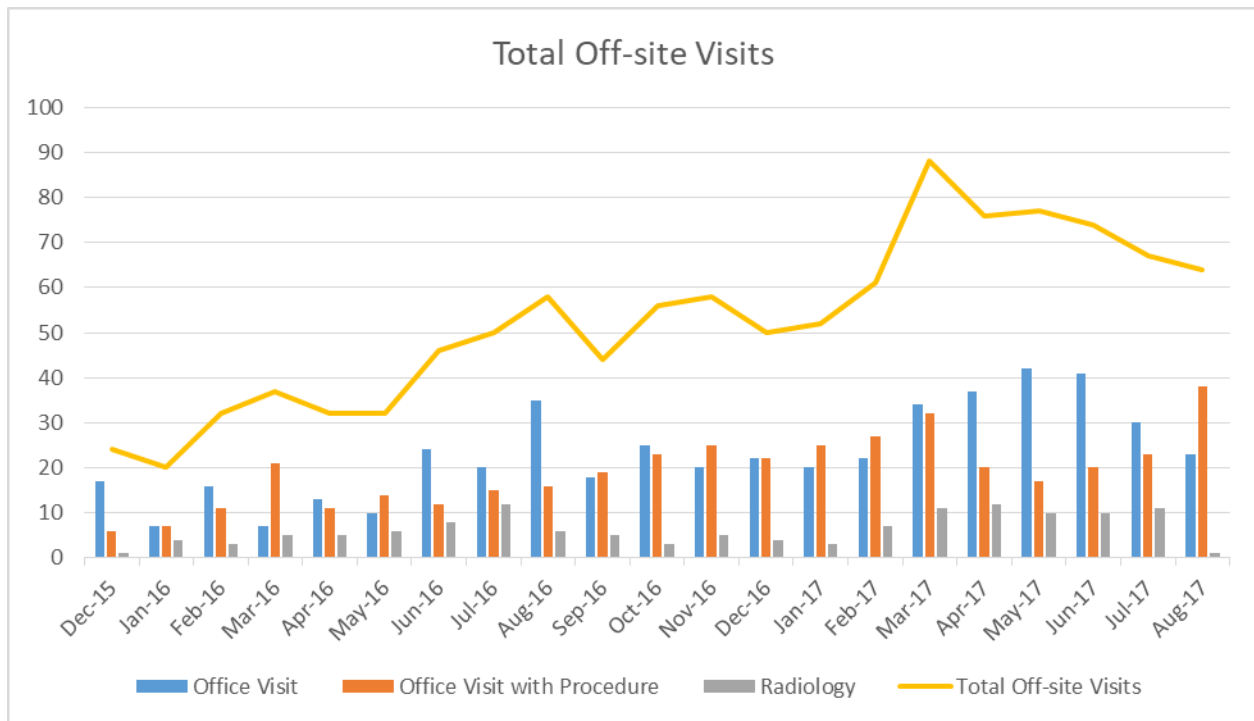
Attached to this study is a chart summarizing medical trends and numbers for the past year (“Copy of Health Services Statistical Report, January 2016 through Aug 2017”).

The original staffing analysis for the jail did not contemplate the high level of inmates with acute medical and mental health needs requiring a high volume of around the clock medical and mental health care, and constant officer monitoring. The original staffing analysis therefore did not call for pod controls to be manned between the hours of midnight and 7:00 a.m.

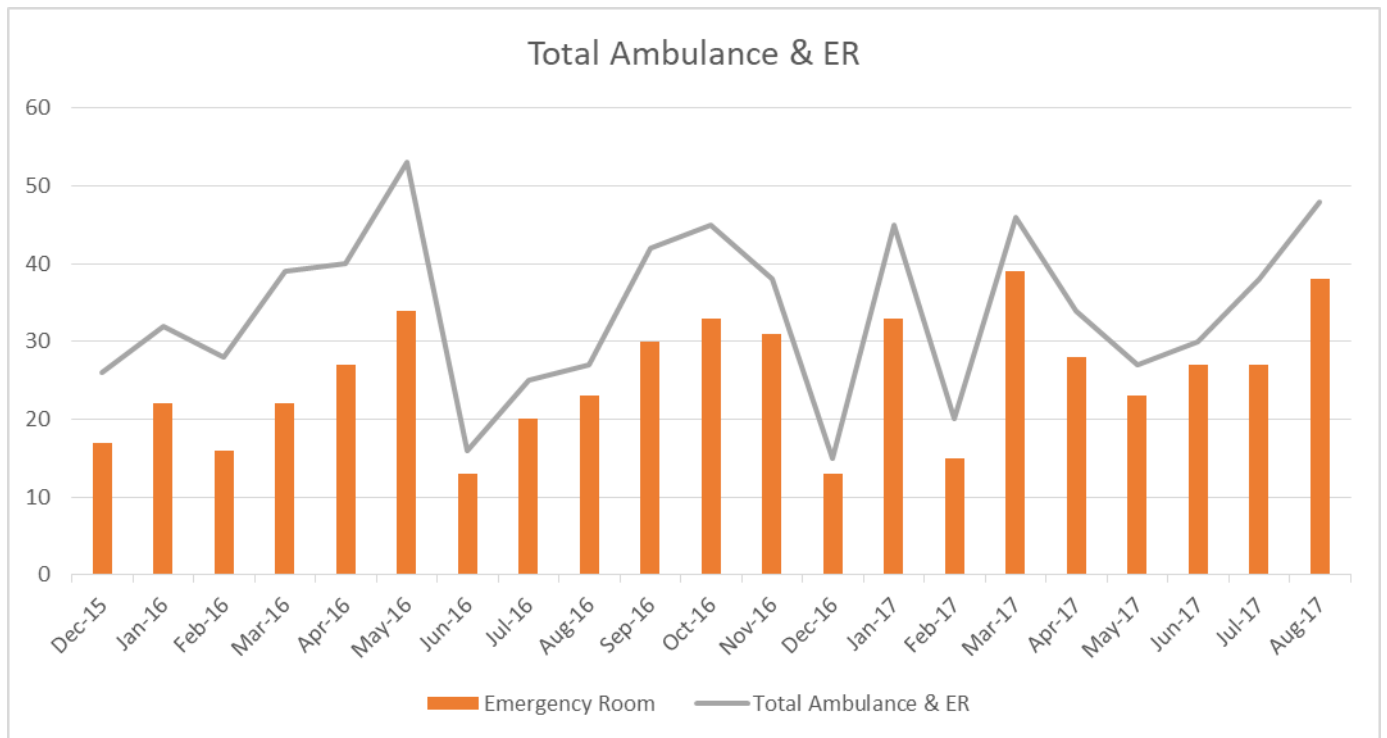
Due to the volatility of this inmate population and the medical and mental health acuity of the population, inmate and officer safety requires 24-hour manning of these posts. Also, two officers must accompany an inmate for off-site visits and hospital watches.

The initial staffing matrix also did not contemplate that the HRRJ would eventually house a majority of the female inmates from the five cities. Since approximately 2014, Norfolk and Newport News sent all of their females to HRRJ. Hampton sends females to HRRJ although it is unknown what the proportion is. Chesapeake sends most of their females to HRRJ. Portsmouth has always sent their females to HRRJ.

Focusing on December, 2015 to August, 2017 as shown in the following graph, the number of off-site care visits has increased 72%. The number of office visits with procedures has increased 72%. The number of 1-day surgery visits have increased 251%. The number of radiology appointments has increased 27%.



As the next graph shows, the number of days spent in the Emergency Room has increased approximately 25% in the same time frame leading to a monthly increase of 312 additional officer hours required to provide a security detail for inmates during their emergency room/hospital stay.



It should be noted that the Compensation Board does not currently provide positions for transportation. These positions need to be filled nonetheless. Currently the Sheriff's Departments of the participating localities make the initial transport of an offender to their own jail. The Hampton Roads Regional Jail is then responsible for pick-ups at the member jurisdiction's jails. Although initial transport to a regional jail is typically the responsibility of the sheriff or local police department, this again is a unique situation, because all of the members currently operate their own jails. The HRRJ is responsible for transporting the inmate to every court (General District Court, Juvenile Court, Circuit Court) in all five cities (15 courts in total), medical facilities, and by default, transporting inmates to state psychiatric facilities. (Local jails not bearing this cost as much.) The Portsmouth Police Department is by code the primary transportation provider for inmates being sent to a state psychiatric facility. Yet historically, they have not taken part in the transportation runs. For them to do so would debilitate their police department - the Portsmouth Police Department would end up bearing the brunt of transporting inmates from five cities who need psychiatric inpatient services to Eastern State and Central State Hospitals. (At any given time, HRRJ has over 500 inmates taking psychotropic medication.)

The increased vigilance and resources focused on inmates with serious mental illness has in turn increased the number of officer hours spent transporting the inmates. HRRJ has increased the number of Temporary Detention Orders (TDOs) it seeks from .85 per month (14 TDOs from 9/2015-9/2016), to 10 per month (6/1/2017-10/1/2017, approximately 50 TDOs sought), with this number continuing to increase. A Temporary Detention Order is the legal mechanism through which a jail officer can seek to have an inmate: (a) with serious mental illness; (b) who poses an immediate danger to his/her self or others of serious harm; and is (c) in need of hospitalization (at a state psychiatric facility) ordered to that state psychiatric facility. The purpose of a TDO is to get inmates in crises due to acute psychiatric issues to an appropriate level of care, not afforded in a jail setting. While necessary to ensure inmates are provided an appropriate level of care at a state psychiatric facility during a crisis, the TDO vigilance puts an increased burden on our transportation officers who are now making approximately 9 more transports throughout the Commonwealth each month at a minimum of 40 miles away and in some cases, 5 hours away, given the recent changes to the code. (The TDOs are not reflected in the “Copy of Health Services Statistical Report” as the report is prepared by the HRRJ medical contractor as part of the services provided, or for services which it must bill.)

- 9/2015 - 9/2016: 14 TDOs were sought (.85/month)
- 9/2016 - 12/2016: 20 TDOs were sought (6.65/month)
- 6/1/2017 - 10/1/17: 50 TDOs were sought (10/month which is an approximate 1100% increase per month since 9/15 - 9/16)

Per the Compensation Board, the Average Daily Population (ADP) for FY 2017 was 1109 state and local responsible inmates per day. The jail was therefore running approximately 39% over its rated capacity. The last staffing study in 2007 took place at a time when the HRRJ and I.C.E. were under contract for HRRJ to house I.C.E. inmates. The federal contract ended in 2013. The city of Chesapeake then joined the HRRJ. Essentially, Chesapeake’s special management inmates, with mental health and medical needs, juveniles, men and all women, took the place of the I.C.E. inmates. After Chesapeake started sending its inmates to the HRRJ, medical and mental health transport miles significantly increased. By way of example, the total number of transport miles for medical and mental health trips are shown on the following page.

- August, 2014: 1279 miles
- November, 2014: 1404 miles
- August, 2016: 2307 miles
- November, 2016: 3050 miles
- August, 2017: 2817 miles

A history of past Average Daily Population (ADP) shows how the inmate population has progressed even without federal inmates:

FY 2017:	1109
FY2016:	1121
FY2015:	1030
FY2014:	904
FY2013:	924
FY2012:	1250 (ICE Inmates)
FY2011:	1199 (ICE Inmates)
FY2010:	1248 (ICE Inmates)
FY2009:	1270 (ICE Inmates)
FY2008:	1233 (ICE Inmates)
FY2007:	1240 (ICE Inmates)
FY2006:	1233 (ICE Inmates)
FY2005:	1158 (ICE Inmates)

CURRENT COMPENSATION BOARD FUNDED POSITIONS

The jail currently receives funding from the Virginia Compensation Board for 308 positions. Of these positions, 249 are full time permanent security positions (not including the Superintendent). There are also 12 funded emergency security positions. The facility also receives funding for five (5) Cooks, eight (8) Secretaries, one (1) Records Technician, one (1) LIDS Technician, and thirty-one (31) Medical Personnel of which nine (9) are unfunded.

STAFFING SUMMARY

Using an ADP of 1109 for the months of July through October, 2017 in regards to Compensation Board Standards, the jail may be allotted a maximum of 266 security positions at its rated capacity of 798 beds (1 security position for every 3 inmates of rated capacity) and an additional 51 emergency positions (a minimum of 1 security position for every 5 inmates over rated capacity). However, the General Assembly has not historically funded additional emergency positions due in accordance with the standard prescribed in the Appropriations Act language. In recent years, the Compensation Board has considered allocation of emergency positions to jails with overcrowding levels of 40% or greater whenever possible.

Also, Compensation Board Standards allow 1 medical, classification, treatment or records positions for every 25 inmates of ADP. The jail currently has 31 medical positions and 1 records position. It should be noted that classifications are being performed by security staff. Based on a state and local responsible ADP of 1109, the jail should be receiving a total of 44 Medical, classification or treatment positions. This would free up the security positions for their intended purpose. Additionally, there should be an increase of three secretarial positions as the ADP is 1109 and the Compensation Board's Standard is 1 secretarial position for every 100 ADP.

RECOMMENDATIONS

1. The 250 current security positions should be increased to the maximum allowable for the rated capacity of 798 beds to **266** permanent positions.
2. Medical, classification, treatment and records positions should be increased from the current 31 positions to the maximum allowable of **44**. This would free up those sworn security positions to be used for their intended purpose, and would also provide for some badly needed additional medical positions.
3. Although the Compensation Board would not normally consider the jail to be eligible for emergency positions, since the jail was only at 39% above its rated capacity for the last 4 months of FY2017, the volatile and excessively needy population at the Hampton Roads Regional Jail makes this facility very staff intensive. It is therefore strongly recommended that consideration be given to increase the emergency positions from 12 to **62**. This would be a net increase of 51 positions. (ADP for last five months of 2017: June, 1105.5, July, 1102.3, August, 1113.8, September, 1117.7, October, 1103.9, an average of 1109 inmates)

4. Additional transports for court, medical, mental health and family emergencies (i.e. funeral transports): There should be a minimum of four 24/7 posts or 20 positions for emergency and medical transport. There should also be a minimum of two 8/5 posts for each member jurisdiction for court transport during the work week. That would be 8 posts with a shift relief factor of 1.5 resulting in 12 more positions. Therefore, there should be a total of **32** positions for transportation.
5. Administrative, support or clerical positions for every 100 inmates of ADP = **11** positions.
6. Cooks in a jail with an operating capacity of 500 or more inmates = **5** positions.
7. A LIDS technician is allocated for each jail = **1** position.
8. Superintendent = **1** position.

This would amount to 360 sworn positions plus 62 civilian positions for a total of **422** positions.

It should be understood that any recommended additional positions could be funded by either the Compensation Board or by the local jurisdiction, or by a combination of both. It should further be understood that this study does not commit the Compensation Board or any other body to fund any positions that may be recommended.